

## California High-Speed Rail Authority

### Questions and Responses for Two Future Rail Procurements:

- Rail Systems Engineering Services (RSES)
- Construction Management Services for Rail Design-Build-Maintain Contracts (CM Rail)

Question No.	RFQ	Question	Authority Response
1	Both	Please can you confirm that a Prime Contractor for the Rail Systems Engineering Services Contract can also be a prime on the Construction Management contract?	<p>To avoid organizational conflicts of interest, due to the oversight, management, and review/approval in the scope of work this contract entails, prime firm(s) awarded the agreement for Construction Management Services for Rail DBM Contracts (CM Rail) cannot also be awarded the future track and/or systems contract(s), the future Rail Systems Engineering Services (RSES) contract, or the future Trainsets contract.</p> <p>If you would like to obtain a specific determination for your company, please submit a request for an organizational conflict of interest determination to the Authority's Chief Counsel, Alicia Fowler, at <a href="mailto:Legal@hsr.ca.gov">Legal@hsr.ca.gov</a>, referencing the procurement(s), as well as information regarding any other Authority contracts it performs work under.</p>
2	Both	Please can you advise if a Prime for the Rail Systems Engineering Services Contract can also be a sub to a different prime on the Construction Management contract?	<p>As each organizational conflict of interest determination is fact specific, please submit a request for an organizational conflict of interest determination to the Authority's Chief Counsel, Alicia Fowler, at <a href="mailto:Legal@hsr.ca.gov">Legal@hsr.ca.gov</a>, referencing the applicable procurement(s). Please include information on the scopes of work the consultant would perform on each contract, as well as information regarding any other Authority contracts it performs work under.</p>

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3	RSES	Can the successful prime on the Program Delivery Support contract bid as a prime for the Rail Systems Engineering Services Contract?	Possibly, but the consultant should submit a request for an organizational conflict of interest determination to the Authority’s Chief Counsel, Alicia Fowler, at <a href="mailto:Legal@hsr.ca.gov">Legal@hsr.ca.gov</a> , referencing the applicable procurement(s). Please include information on the scopes of work the consultant would perform on each contract, as well as information regarding any other Authority contracts it performs work under.
4	Both	Please can you advise if a sub on the Project Delivery Support Consultant Contract be a sub to a different prime on either the Rail Systems Engineering Services Contract or the Construction Management contracts?	Please submit a request for an organizational conflict of interest determination to the Authority’s Chief Counsel, Alicia Fowler, at <a href="mailto:Legal@hsr.ca.gov">Legal@hsr.ca.gov</a> , referencing the RSES and CM Rail procurements and the PDS contract. Please include information on the scopes of work the consultant would perform on each contract, as well as information regarding any other Authority contracts it performs work under.
5	RSES	What is the total value of the Rail Systems Engineering Services Contract and over what term? Depending on the answer to this question it could need to be followed up with the next question.	Subject to Authority Board approval, the current anticipated contract value is \$73.2M for a term of five years and four months, with an option to extend.

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6	RSES	Please advise the percentage breakdown for the Small Business Enterprise/Disadvantaged Business Enterprise and Disabled Veteran Business Enterprise requirement and will the Rail Systems Engineering Services Contract include any requirements for other categories such as Women Owned Business Enterprises?	<p>The breakdown is an overall 30% Small Business (SB) utilization goal, which includes a 10% DBE goal and a 3% DVBE participation goal. All goals are calculated based on total contract dollars.</p> <p>There will not be a separate requirement for other categories. Please refer to the Authority’s Revised Small and Disadvantaged Business Enterprise Program for Professional Services Contracts, which can be found at <a href="#">SB Program</a>.</p>
7	RSES	How does the Authority intend to evaluate the benefit of accelerated learning curves for the Rail Systems Engineering Services Contract based on resource(s) or corporate experience within the current Rail Delivery Partner contract?	The evaluation of the Offeror’s Statements of Qualifications and Discussions will be based solely on the criteria set forth in the Request for Qualifications, which will be released subsequent to Authority Board approval.
8	RSES	Does the Rail Systems Engineering Services Contract include anything in the scope for the management of the system operator activities on behalf of the Authority that do not sit with the Track and Systems contractor or the Early Train Operator? For example the planning of the OCC and the interface with existing booked and future bookend projects as well as other railroads in both northern and southern California?	There are no system operator activities within this scope of work.

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9	RSES	How does the Authority intend to incentivize the rail systems engineering support consultant to support the authority in meeting its timescales?	There are no incentives planned at this time.
10	RSES	Do you envisage an element of the fee being at risk?	No.
11	RSES	If so what percentage of the fee would you anticipate being at risk?	See response to Question No. 10.
12	Neither	When does the Authority envisage being able to release the procurement and technical specification for the Rolling Stock contract?	Subject to Authority Board approval and funding availability, the Authority anticipates this will happen in 2023.
13	RSES	Do the Authority feel that the stated contract term of 4+2 or 6 years is long enough to advance the program sufficiently towards a first operational segment in the Central Valley?	The Authority anticipates the contract will be for a term of five years and four months with an option to extend.
14	RSES	Does the Authority have a preference in the physical location of the Rail Systems Engineering Services Contract team?	<p>At the sole discretion of the Authority, the RSES Consultant may be required to co-locate, have their office location modified, or may be allowed to telework during the term of this Agreement.</p> <p>The Authority anticipates the RSES Consultant's Key Personnel will be based in the Authority's headquarters in Sacramento.</p>

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15	RSES	Does the Authority anticipate a continuation of remote working, or does it envisage a requirement for the RSE team to return to working from offices? In addition is the Authority expecting that the RSE team will need to be colocated with Authority staff at 770 L Street in Sacramento and/or at other Authority office locations?	See response to Question No. 14.
16	RSES	How does the Authority intend to incentivize the rail systems engineering support consultant to support the authority in meeting its timescales? Do you envisage an element of the fee being at risk? If so what percentage of the fee would you anticipate being at risk?	See responses to Questions Nos. 9, 10, and 11.

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17	RSES	How will the handover process between the existing Rail Delivery Partner contractor(s) and any new team coming in be managed and handled? When will the process start, how will the Authority manage and deal with any confidentiality issues?	<p>The Rail Delivery Partner’s work plan describes the scope of services that the consultant is performing. The RSES Consultant will need to work with the Rail Delivery Partner and the Authority in support of the transition. The RSES Consultant will provide its qualified technical resources, as described in the RFQ within the Initial Deliverables that includes the Mobilization Plan and Staffing Plan, to support knowledge transfer and assume the responsibilities of the described Scope of Work. The process starts after the Agreement is executed, and the Authority issues a notice to proceed and a fully executed Task Order has been provided. Confidentiality is considered within the Agreement and is a term in both contracts.</p> <p>It is anticipated that the new team will work side by side with the existing team for a two to three-month transition period. The process will start immediately following notice to proceed.</p>

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18	RSES	Please can the authority confirm the number of weeks the preferred bidder will have to undertake and complete commercial negotiations.	<p>The Authority will enter into limited negotiations related to fair and reasonable compensation with the most qualified Offeror. (Refer to GC § 4528, Negotiation of Contracts; 21 CCR § 10000.7, Negotiation; and PCC § 6106.)</p> <p>If limited negotiations are unsuccessful, the Authority will terminate all discussions with the most qualified Offeror and enter into limited negotiations with the second most qualified Offeror and so on sequentially. After completion of successful negotiations, the Authority CEO shall recommend to the Board an Offeror for Agreement award.</p> <p>In accordance with PCC § 6106, negotiations commence within 14 days of receipt of the cost proposal/rate sheet and ends with contract execution within 45 days (unless additional time is required). Note that typical limited negotiations may take up to four weeks to complete.</p>
19	Both	If we have additional questions can we submit these after the meeting today?	The deadline for submitting questions was October 31, 2022. The opportunity to submit questions will re-open upon release of the respective RFQs.

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Question No.	RFQ	Question	Authority Response
20	Both	With the announcement that the Track and Systems contract is going to have to be reexamined due to no bids being received. Will this have any impact on the timing of the release of the RFQ for the RSE and/or the CM contracts?	<p>The Authority anticipates requesting Board approval to release the RSES RFQ at the December 2022 Board meeting.</p> <p>No information about the timing of the CM Rail RFQ is available at this time. Please refer to the Authority's <a href="#">CM Rail webpage</a> for updates.</p>
21	Neither	Is the current RDP contract which includes Rail Delivery being extended through to June 2023?	The Rail Delivery Partner contract's current term expiration date is June 30, 2023.
22	RSES	How will the handover/transition between the existing RDP Contractor and the new team awarded the RSE contract be managed and handled? When will the process of transition commence and how will the Authority manage and deal with any confidentiality and conflict issues?	See response to Question No. 17.
23	Both	Does the Authority feel that the stated term of the RSE of 5 years and 4 months long enough to advance the program sufficiently towards a first operational segment in the Central Valley? And why is the CM contract notified as being for 6 years?	<p>The Authority anticipates the RSES contract term of 5 years, 4 months (with an optional extension) is reasonable for the work.</p> <p>The terms of each contract are independent of one another.</p>
24	RSES	Will transition related costs be a factor in the pricing evaluation of bids?	The RSES contract will be an architectural and engineering contract and will be awarded based on qualifications, not on price/bids.